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(53)

Regulations under the Destructive Insect and Pest Act. Tabled by the Honourable Martin Burrell, Minister of Agriculture, in pursuance of Section 9, of the Destructive Insect and Pest Act.

(Copy P.C.L. 469.)

Privy Council.

Canada.

AT THE GOVERNMENT HOUSE AT OTTAWA,

FRIDAY, June 30, 1911.

PRESENT:

HIS EXCELLENCY IN COUNCIL:

His Excellency in Council is pleased to Order and it is hereby Ordered that the Regulations under the Destructive Insect and Pest Act, established by Order in Council dated the 11th day of May, 1910, be amended, by adding to Section 12 thereof,—

‘Chestnut Bark Disease, (*Diaporthe parasitica*),’

and also by adding a new section as follows,—

‘13½. The importation of both Chestnut (*Castanea dentata*), and Chinquapin, (*Castanea pumila*), into Canada from the United States is prohibited.’

(Sgd.) F. K. BENNETS,

Assistant Clerk of the Privy Council.

The Honourable

The Minister of Agriculture.

REGULATIONS UNDER THE DESTRUCTIVE INSECT AND PEST ACT.

1. ‘Inspector’ means a person appointed for carrying out the provisions of the Destructive Insect and Pest Act and the Regulations made thereunder.

2. No tree, plant or other vegetation or vegetable matter infested with any of the insects, pests or diseases to which this Act applies, shall be imported into Canada except as hereinafter provided.

3. Nursery stock, including all trees, shrubs, plants, vines, grafts, scions, cuttings or buds which are not hereinafter exempted, entering Canada, shall be imported only through the ports and during the periods respectively hereinafter mentioned, that is to say:—

Vancouver, B.C., from October 1st to May 15th.

Niagara Falls, Ont., from October 1st to May 15th.

Winnipeg, Man., and St. John, N.B., from March 15th to May 15th, and from October 7th to December 7th.

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Windsor, Ont., and St. Johns, P.Q., from March 15th to May 15th, and from September 26th to December 7th.

At these points of entry the importations shall be fumigated in the fumigation houses provided for that purpose, and a certificate of fumigation will be issued, without which no stock may be taken out of bond.

Importations by mail shall be subject to the same regulations.

All nursery stock originating in Japan or in any one of the States of Vermont, New Hampshire, Maine, Massachusetts, Connecticut and Rhode Island, six of the United States of America, shall, after fumigation, be subject to inspection as provided by Section 6 of these regulations.

Provided, however, that the following vegetation and florists' stock shall be exempt from fumigation and may be imported at any season of the year and through any port without inspection:—

(a) Greenhouse grown plants, including roses in foliage which have been grown in pots up to three inches in diameter but not larger. A certificate that the plants have been grown under glass must accompany the invoice and shall be signed by the consignor.

(b) Herbaceous perennials (the stems of which die down in winter), such as perennial phlox, peonies, sunflowers, &c.

(c) Herbaceous bedding plants (such as geraniums, verbenas, pansies, &c.

(d) Bulbs and tubers (such as hyacinths, lilies, narcissi and other true bulbs, and also the tubers of dahlias, irises, &c.)

(e) Cottonwood or Necklace Poplar (*Populus deltoides*) when shipped from and grown in Dakota or Minnesota, two of the United States of America.

4. The port by which it is intended that the nursery stock shall enter shall be clearly stated on each package, and all shipments made in accordance with these regulations will be entirely at the risk of the shippers or consignees, the government assuming no responsibility whatever.

5. All persons importing nursery stock, except such stock as is exempt from fumigation and inspection under section 3 of these regulations, shall give notice to the Dominion Entomologist, Experimental Farm, Ottawa, within five days of despatching the order for the same, and they shall again notify the Dominion Entomologist on the arrival of the shipment in Canada.

Notice shall also be given to the Dominion Entomologist by all transportation companies, Custom House Brokers or other persons importing or bringing into Canada nursery stock that is subject to inspection as hereinafter provided, immediately such a consignment is received by them. Such notice shall include the name of the consignor and the consignee, the points of origin and destination, the name of the company carrying the nursery stock, as well as the nature, quantity and origin of the same.

6. Nursery stock, not including such stock as is exempt under section 3 of these regulations, originating in Europe, shall be imported only through the ports and during the periods specified under section 3 for stock requiring fumigation, with the addition of the ports of Halifax, N.S., Sherbrooke, P.Q., and Montreal, P.Q., through which ports such European stock may enter from September 15th to May 15th. Such European nursery stock, and such other imported vegetation as the Minister may determine, entering Canada, shall be exempt from fumigation, but shall be inspected, either at the port of entry, or at its destination to which it may be allowed to proceed, but in the latter case it must not be unpacked except in the presence of an inspector.

7. If, on inspection, nursery stock or other vegetation or vegetable matter is found to be infested with any of the insects, pests or diseases hereinafter specified, it shall be

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destroyed to the extent deemed necessary by the inspector and in his presence. All cases, packages and packing in which such stock has been contained shall also be destroyed in the same manner.

8. Any inspector entering any lands, nursery or other premises where there is reason to believe that any of the insects, pests or diseases hereinafter specified are or may be present, shall give instructions for the treatment or destruction of any tree, bush, crop or other vegetation or vegetable matter or the containers thereof, which may be found or suspected to be infested with any of the insects, pests or diseases hereinafter specified, and such instructions shall be carried out by the owner or lessee of the infected or suspected vegetation, vegetable matter or containers thereof, and such remedial treatment shall be carried out and continued until the insect, pest or disease shall be deemed by the inspector to have been exterminated.

9. Compensation not exceeding two-thirds of the value as assessed by the inspector, of the vegetation or vegetable matter or containers thereof destroyed by the instructions of an inspector, shall be granted by the Governor in Council upon the recommendation of the Minister.

10. It shall be illegal to sell, offer for sale or in any way dispose of or receive any trees, shrubs, or other plants, vegetable matter or portions of the same, if the same are infested with any of the insects, pests or diseases hereinafter specified.

11. The owner, occupier or lessee of any premises or place where any of the insects, pests or diseases specified herein shall be found, shall immediately notify the Minister, and shall also send to him specimens of such insects, pests or diseases.

12. The destructive insects, pests, and diseases to which the said Act shall apply shall include the following:—

The San José Scale (*Aspidiotus perniciosus*).

The Brown-tail Moth (*Euproctis chrysorrhoea*).

The Woolly Aphis (*Schizoneura lanigera*).

The West Indian Peach Scale (*Aulacaspis pentagona*).

The Gypsy Moth (*Porthetria dispar*).

Potato Canker (*Chrysophlyctis endobiotica*).

Parasitic diseases affecting potatoes externally or internally.

Branch or Stem Canker (*Nectria ditissima*).

Gooseberry Mildew (*Sphærotheca mors-uvæ*).

White Pine Blister Rust (*Peridermium strobi*).

13. The importation of potatoes into Canada from Newfoundland or the Islands of St. Pierre or Miquelon is prohibited.

14. The Minister may, upon special request to that effect, authorize the importation into Canada of any insect, pest or disease herein specified, but for scientific purposes only.

15. The regulations made under the San José Scale Act are repealed.

